

# **THE ABC DRUG TREATMENT COURT**

## **ABC DRUG TREATMENT COURT ADVISORY COMMITTEE**

The ABC Drug Treatment Court Advisory Committee (Advisory Committee) is comprised of Drug Treatment Court partners. The Advisory Committee determines policy and provides program oversight for the judicially led Drug Treatment Court effort. The Advisory Committee meets monthly to review policy, implement changes, seek funding, promote public relations, and provide administrative support and assistance as needed. At the Court's request, the Advisory Committee shall be chaired by the Bar Association of ABC for its monthly meetings.

## **ABC DRUG TREATMENT COURT COORDINATOR**

There shall be a Judge-In-Charge at the District Court and Circuit Court who shall lead the day-to-day efforts of the DTC. The DTC Coordinator shall report to these judges for regular supervision. The Coordinator shall also report to the Advisory Committee on a monthly basis as to the status of the DTC. The Coordinator shall be the custodian of the Memorandum of Understanding and all records of the DTC.

## **SPECIFIC PARTNER DUTIES AND RESPONSIBILITIES**

### **The State's Attorney for ABC**

The ABC State's Attorney's Office (SAO) agrees as follows:

- to serve on the DTC Advisory Committee and associated work groups;
- to contribute the services of a prosecutor(s) as needed;
- to seek funding to expand the SAO's DTC activities;
- to provide staff to support DTC procedures;
- to screen pre-trial detainees for eligibility for DTC according to the eligibility criteria;
- to offer eligible detainees the opportunity to participate in DTC;
- to request that the clerk's office docket each case upon notification from the Office of the Public Defender (OPD) that an offender has accepted the DTC program;
- to ensure that court files are present in court for all matters not routinely scheduled, including requests for bench warrants;

- to provide a copy of each assessment to the presiding DTC Judge;
- to request that the clerk docket each case as soon as practical after receiving notice from the Department of Public Safety and Correctional Services (DPSCS), OPD, or other party that a defendant has been arrested on a bench warrant;
- to coordinate with DPSCS agents to bring defendants to court for sanctions or other intervention when requested by supervising agents and obtain court files for the issuance of bench warrants, imposition of sanctions, and other interventions; and
- to maintain and input data regarding referrals, intake, and other information as necessary for the management and evaluation of DTC;
- that no information gathered during the DTC program will be used against any defendant who has entered the DTC in any proceeding not related to DTC.

### **The Maryland Office of the Public Defender**

The Office of the Public Defender (OPD) agrees:

- to serve on the DTC Advisory Committee and associated work groups;
- to provide legal representation to DTC participants who qualify for OPD representation from intake and continuing through graduation or termination from the DTC;
- to compile certain monthly statistics and forward them to the DTC coordinator; and
- to maintain and input data regarding monthly statistics and other information as necessary for the management and evaluation of DTC.

### **ABC District and Circuit Courts**

The ABC District and Circuit Courts (The Courts) agree:

- to provide judicial monitoring for all cases accepted into DTC;
- to conduct periodic conferences with each defendant to monitor progress;
- to serve on the DTC Advisory Committee and associated work groups, and participate in routine meetings to oversee the functioning of the DTC; and
- to notify the ABC Police Department or the Sheriff of ABC when a bench warrant is issued or recalled.

## **The ABC Police Department**

The ABC Police Department (ABCCPD) agrees:

- to serve on the DTC Advisory Committee and associated work groups;
- to aggressively serve bench warrants issued on behalf of DTC.
- to assist in other DTC matters as requested and as resources permit.

## **The ABC Sheriff**

The ABC Sheriff (BCS) agrees:

- to serve on the DCT Advisory Committee and associated work groups.
- to aggressively serve bench warrants issued on behalf of DTC.
- to assist in other DTC matters as requested and as resources permit.

## **ABC Substance Abuse Systems, Inc.**

ABC Substance Abuse Systems, Inc. (ABCSAS), the designated substance abuse treatment authority for the City of ABC, agrees:

- to serve on the DTC Advisory Committee and associated work groups;
- to provide information regarding the ABC substance abuse treatment system to the Advisory Committee;
- to provide treatment data in accordance with 42 CFR, Section 2, and HIPPA confidentiality regulations;
- to work in partnership with other agencies and organizations to develop a comprehensive system of substance abuse treatment and other support services for individuals served by the DTC; and
- to ensure access to appropriate substance abuse treatment for each DTC participant.

## **The Department of Public Safety and Correctional Services**

The Department of Public Safety and Correctional Services (DPSCS), through the Division of Parole and Probation, agrees:

- to serve on the DTC Advisory Committee and associated work groups;
- to provide financial and human resources in support of the DTC, contingent on continued State general fund allocations;
- to commit staff to provide case management, program, and assessment services to offenders who are participants in the DTC, contingent on continued State general fund allocations; and
- to maintain and input its data which is included in the management and evaluation of the DTC.

### **The Governor's Office of Crime Control and Prevention**

The Governor's Office of Crime Control and Prevention (GOCCP) agrees:

- to serve on the DTC Advisory Committee and associated work groups;
- to provide technical assistance and guidance as required;
- consistent with its mission, to assist in obtaining funding, when available, to support, continue, and enhance the DTC initiative.

### **The Mayor's Office of Criminal Justice of ABC**

The Mayor of ABC, through the Office of Criminal Justice, agrees:

- to serve on the DTC Advisory Committee and associated work groups;
- to provide technical assistance and guidance as required; and
- to provide resources as may be available to support the efforts of the DTC.

### **Modification and Termination**

Any partner may amend its specific duties under the provisions of this Memorandum of Understanding or terminate its participation in this agreement by providing 30 days' written notice to the other partners and to the Coordinator as custodian of this Memorandum.

### **Effective Date**

This agreement shall be effective on April 1, 2004, and shall remain in effect unless amended or terminated by the partners.

IN WITNESS THEREOF, the parties hereby evidence their agreement to the above terms and conditions by having caused this Memorandum of Understanding to be executed and delivered the day and year below written.

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Thomas E. Noel  
Judge  
Circuit Court for ABC

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Date

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Jamey H. Weitzman  
Judge  
District Court of Maryland for ABC

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Date

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John C. Anderson  
Sheriff of ABC

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Date

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Kevin P. Clark  
Commissioner  
ABC Police Department

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Date

Bonnie L. Cypull, LCSW  
President  
ABC Substance Abuse Systems

Date

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Nancy S. Forster  
Public Defender for the  
State of Maryland

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Date

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Patricia C. Jessamy  
State's Attorney for  
ABC

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Date

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Kristen Mahoney  
Director  
Mayor's Office of Criminal Justice

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Date

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Mary Ann Saar  
Secretary  
Department of Public Safety  
and Correctional Services

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Date

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David W. Skeen  
Wright, Constable & Skeen

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Alan C. Woods, III  
Executive Director  
Governor's Office on Crime  
Control and Prevention

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Date